

PUBLIC HEARING – PROPOSED REZONING OF PARCEL(S)
 17-4-15 (PORTION OF), 16, 17
 WED., NOVEMBER 4, 1998; 7:30 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Meyers, Councilman Finnegan,
 Councilwoman Mullarkey, Councilwoman
 Townsend, Councilman Green

OTHER OFFICIALS PRESENT: Town Attorney Crotty, Comptroller Reis,
 Highway Superintendent Pullar

SALUTE TO FLAG

Supervisor Meyers called to order a Public Hearing Regarding Rezoning of Certain
 Parcels along Route 9-W from R-3 to NC.

The Town Clerk presented proof of publication regarding same, as required by law.

Supervisor Meyers: I would like to welcome everyone tonight to our Regular November
 4th Town Board Meeting and Water Board Meeting. Before we start with our regular
 Town Board Meeting, we have a couple of Public Hearings that we have to conduct; then
 we will move into our regular Town Board Meeting. First Public Hearing has to do with
 a rezoning of a piece of property on Route 9W, from R4, which is single family
 residential to Neighborhood Commercial. At this point, I think I will open it up to the
 Council for one or several petitions of the Town Board. Fred Maute, are you here?

Fred Maute: Yes.

Supervisor Meyers: I will just ask you on this particular zoning change, there is to be
 some restricted covenant sign by some of the petitioners. I don't have that; do you have
 the one by Mr. Valois?

Fred Maute: I do not; I have from Mrs. Sidolli for parcels 16 & 17 and 15. As you
 know, he changed his mind this afternoon and feels that it's not in his interest to have a
 restriction such as the Town Attorney and I agree upon.

Supervisor Meyers: Okay. I think, Fred, in lieu of that, Mr. Crotty the Town Attorney,
 has been speaking with you for several months; whether it be three or six there has been
 some correspondence. We are not aware of the fact that you are having trouble with Mr.
 Valois on signing on the covenant.

Fred Maute: I wasn't aware of that myself.

Supervisor Meyers: Well, today that became clear to you and I both; he wasn't going to
 sign that. So, with that not being signed, I would say that this Board was acting on the
 recommendation of the Planning Board that said we should have those things to grant
 this. I would say to you at this point, I would think it's futile to go forward here and the
 Board was pretty much on record with you through the Attorney's Office and we needed
 those things to do that. With that being said; I think unless you have anything else to add
 to this, I'm going to close the Public Hearing.

Fred Maute: Well, is there any members that want to speak on this rezoning?

Supervisor Meyers: Well, I'm not really sure if they do or don't, but what I'm saying to
 you is I'll ask just to cover that base. Without the signing of that restricted covenant by
 Mr. Valois, the Board's action is very clear that it will be voted no.

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Fred Maute: Mr. Supervisor, I agree with you. Just hear me out one more minute. I would ask you and the Board to consider, to complete the Public Hearing and since it appears from my conversation with Mr. Valois, what he really wants is to sell the property to Dr. Singh, who has been unwilling at the time to buy it. To defer action by the Board for thirty days to see if they could work out a deal. I can't work that out from 4:00 o'clock in the afternoon till 7:30 in the evening. I would respectfully request that the Board consider that rather than going back. A lot of people spent a lot of time and energy and I have to compliment Phil Crotty, you know that I don't need to do that in front of the Board. Phil has been very helpful and so has your office and the Planning Board, a lot of effort has been put into this. Dr. Singh, Mrs. Sidolli your ready, willing and able to go forward and then we have this relatively last minute problem that seems to be a financial interest of Mr. Valois.

Supervisor Meyers: Does anyone want to comment on that particular zone change?

John, Canterbury Lane: I would just like to say no to this.

Supervisor Meyers: With that being said, before I close the Public Hearing I'll ask the Board Members if they have anything they want to comment on. I will just comment that my point in the beginning is still my point. There was plenty of time to work this out and it wasn't worked out; therefore my recommendation and my vote will be no in this.

Hearing no others wishing to speak, Supervisor Meyers entertained a motion to close the Public Portion of the Public Hearing regarding the Proposed Rezoning of Parcel(s) 17-4-15 (Portion of), 16, 17.

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Hearing regarding the PROPOSED REZONING OF PARCEL (S) 17-4-15 (portion of), 16, 17 at 7:35 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor adopt a Local Law amending Chapter 48-Zoning Local Law of the Town of New Windsor rezoning Parcel (s) 17-4-15 (portion of), 16, 17 from R-4 (single family residential) to NC (Neighborhood Commercial) as per the copy attached to the Minutes, Marked No. 1. Also, that the Town Clerk be authorized to advertise same and submit the necessary documents to the Secretary of State as required by law.

Roll Call: All Nays

Motion Lost: 0-5

Respectfully submitted,

DOROTHY H. HANSEN
 TOWN CLERK

DHH:sh